

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The final Office Action dated May 12, 2006 has been received and its contents carefully reviewed.

Claims 1, 2, 5-7, 9, 11-14, and 17-31 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

In the Office Action, claims 1 and 2 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,356,318 to Kawahata (hereinafter "Kawahata"). Claims 5-7, 9, 11-14, and 17-31 are allowed.

Applicants respectfully note the indication that claims 5-7, 9, 11-14, and 17-31 are allowed.

In the Office Action, claims 1 and 2 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kawahata. Applicants respectfully traverse the rejection and request reconsideration. Claims 1 and 2 are allowable over the cited references in that each of these claims recites a combination of elements including, for example, "a storage electrode sunken in the gate insulating film to overlap with the gate line, said storage electrode uncovered by and disposed upon said gate insulating film," wherein "the gate insulating film contacts sides of the storage electrode." Nothing in Kawahata teaches or suggests at least this feature of the claimed invention.

In the Office Action, the Examiner states: "... the gate insulating film 10 contacts both sides of the storage electrode 15 at the lower ends of the sides as shown in Fig. 1" (see p. 3 of the Office Action); and "As shown in Figs. 1 and 2, Kawahata discloses ... wherein 'the gate insulating film 10 contacts sides of the of the storage electrode 15' at the lower ends of both sides of the storage electrode 15" (see p. 4 of the Office Action.) It would appear that the Examiner is interpreting sides to include the corner of the storage electrode where it contacts the insulation film 10. This is a disingenuous interpretation of side. As can be clearly seen in Fig. 1 of Kawahata, only the bottom of the storage electrode 15 is in contact with the insulation film 10. The sides of Kawahata that extend substantially vertically are not in contact with the insulation

film 10 as there is a corner defined between the bottom and side of the storage electrode 15. Clearly the plain meaning of side would not lead to such an interpretation of side. Hence, Kawahata does not teach at least this feature of the claimed invention. Accordingly, Applicants respectfully submit that claim 1, and its dependent claim 2, are allowable over Kawahata.

Applicants believe the foregoing remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

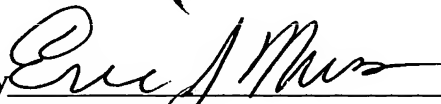
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: August 21, 2006

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Respectfully submitted,

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